

I am writing to you, today, in support of HB 5206 which deals with a serious public safety matter that needs to be addressed. In mid June, 2008, there was a boating incident on Bantam Lake in which a tour boat overturned throwing twenty-two passengers, some of them senior citizens, into the water. As luck would have it, there were no fatalities nor were there any serious injuries. On June 17th, the Hartford Courant ran an article concerning the incident in which a Department of Environmental Protection (DEP) spokeswoman was quoted as saying that the operator of the tour boat "was not required to have a commercial boating license with the type of boat he owns." As I read this article, I was reminded of a similar incident in 2005 in which twenty-two people were killed when the tour boat Ethan Allen capsized on Lake George, NY. According to the Hartford Courant article, the tour boat that capsized on Bantam Lake, has taken more than twelve hundred people on excursions. It seemed to me that there should be some sort of state regulations to ensure safety requirements for such boats and to establish competency standards for their operators. With this in mind I wrote to the DEP inquiring whether or not the quote in the article was accurate and, if so, how the State could allow a boat for hire to carry passengers without having safety requirements and competency standards in place.

I received the following response from the DEP: "The statement is true that a person operating only on state waters does not need a commercial license to operate a boat that transports people for a fee. The US Coast Guard requires a commercial operator's license on federal waters, but the USCG jurisdiction does not extend to inland state waters. The DEP is responsible for registering recreational boats and was one of the first states to implement mandatory boating safety education for boaters on recreational boats that are required to be registered. The DEP would need authorization by the General Assembly to regulate the commercial licensing of boat operators."

I was somewhat surprised that the DEP did not have the authority to promulgate such regulations under existing law. That being the case, however, and given the circumstances surrounding the Bantam Lake incident when viewed in the context of the Lake George incident, I cannot imagine that the State would want to be in the position of not having any standards and/or regulations in place for the future.

Accordingly, I wrote my local representative and state senator to request that they introduce the necessary legislation to authorize the DEP to establish competency standards and safety requirements for boats for hire on inland state waters. The result of that communication is before you in the form of HB 5206. This bill, if adopted, will allow the DEP to draft regulations designed to promote boating safety on inland waters. It is a measure that will have minimal or no cost to taxpayers yet will go far in protecting the public. I urge you to approve HB 5206.

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